

IN THE DRAWINGS

Enclosed are four sheets of formalized replacement drawings. No amendments have been made. No new matter has been added.

REMARKS

Applicant has reviewed and considered the Office Action mailed on February 5, 2007, and the references cited therewith.

No claims are amended, canceled, or added; as a result, claims 1-26 are now pending in this application.

35 USC §102 Rejection of the Claims

Claims 1-6 and 9-13 were rejected under 35 USC § 102(e) as being anticipated by Tsien et al. (U.S. Publication No. 2005/0128970), hereinafter referred to as the “the Tsien reference.” Applicants respectfully submit that the Tsien reference does not qualify as prior art under 35 USC § 102(e). The inventive entity in the instant application is identical to the inventive entity in the Tsien reference, and therefore the Tsien reference is not “by another” as required in 35 USC § 102(e). Accordingly, applicants respectfully request that this rejection be withdrawn.

Claims 14-23 were rejected under 35 USC § 102(e) as being anticipated by Choi et al. (U.S. Patent No. 6,978,151). Applicants respectfully traverse this rejection.

Choi describes communications between stations (STAs) in a network, and more specifically, transmit power control (TPC) of stations. “Each STA keeps track of the path loss between other STAs within the BSS and to the AP, then each transmitting station may use the path loss estimation to adjust the transmit power level as it transmits a frame to another STA or to the AP.” Column 4, lines 51-55. Applicants respectfully submit that Choi describes modifying transmit power in stations, not access points. Applicants further submit that Choi provides no discussion regarding the power level of access point transmissions.

Regarding claims 14 and 20, the office action alleges that at column 6, lines 22-47, Choi teaches “transmitting a beacon frame from the access point at a full power level”. Applicants respectfully disagree. The cited portion of Choi includes claims 5-9 and a portion of claim 10. Nowhere in these claims is there a discussion of transmitting a beacon frame from an access point at full power level. The office action further alleges that at column 4, lines 1-60 and column 5, lines 21-47, Choi teaches “transmitting frames other than beacon frames from the access point at less than the full power level.” Applicants respectfully disagree. At column 4,

lines 11-14, Choi states that “[a]fter obtaining the path loss by receiving frame(s), the receiving STA can determine both the PHY rates as well as the transmission power intelligently for its future transmissions to other STA.” One can see from this portion of the passage cited in the office action that Choi is describing transmission power of stations, and not access points. Further portions of the cited passage (e.g., column 4, lines 28-60, FIG. 4) describe the transmit power control of stations.

Applicants submit that the cited portions of Choi mention the beacon frame only to show that the value of the maximum power level is available to stations because it is announced within the beacon frame by the access point. “The transmitting station may use the maximum power level announced by the AP within the BSS via a beacon frame for its transmission in step 320.” Column 5, lines 38-40, see also column 5, lines 45-47. This passage describes a station (not an access point) using the maximum power level for its transmission. The maximum power level is announced by the AP via a beacon frame. The cited passage does not describe a transmission power level of a beacon frame as alleged in the office action. See also column 4, lines 17-21, in which Choi states that “transmission power should not exceed the *maximum transmission power specified by the AP through a beacon frame*; an 802.11h compliant AP shall broadcast such maximum transmission power via beacon frames periodically.” [Emphasis added.]

Regarding claims 16, 17, 22, and 23, applicants respectfully submit that Choi does not describe performing the listed actions when a station associates or disassociates. As described above, Choi describes transmit power control in stations, not access points. Choi does not include a discussion of actions taken in response to a station associating or disassociating with an access point.

35 USC §103 Rejection of the Claims

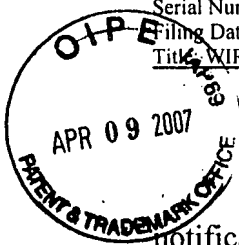
Claims 7 and 8 were rejected under 35 USC § 103(a) as being unpatentable over Tsien et al.(U.S. Publication No.2005/0128970) in view of Choi et al. (U.S. Patent No. 6,978,151). Claims 24-26 were rejected under 35 USC § 103(a) as being unpatentable over Choi et al. (U.S. Patent No. 6,978,151) in view of Tsien et al.(U.S. Publication No.2005/0128970). As described above, the Tsien reference does not qualify as prior art. Accordingly, applicants respectfully request that the rejections under 35 USC § 103(a) be withdrawn.

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Title: WIRELESS ACCESS POINT POWER CONTROL

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (952-473-8800) to facilitate prosecution of this application.

Respectfully submitted,

JIEWEN LIU ET AL.

By their Representatives,

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Date April 6, 2007

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 6 day of April, 2007.

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Name

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Signature